



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : CRIPPS et al. Confirmation No: 1830
Appl. No. : 10/774,393
Filed : February 10, 2004
Title : PHARMACEUTICAL FORMULATION OF FLUTICASONE
: PROPIONATE

TC/A.U. : 1616
Examiner : M Haghighatian

Docket No.: : CRIP3001C3/REF
Customer No: : 23364

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to Rule 37 C.F.R. §§ 1.51(b), 1.56, 1.97 and 1.98, this Supplemental Information Disclosure Statement is being submitted with the references in the above-identified patent application. A listing of these documents is submitted herewith on Form PTO-1449A&B. The foreign and non-patented references are herewith enclosed.

This Supplemental Information Disclosure Statement is after the mailing date of the first Official Action on the merits received by Applicants but before the mailing of any of a final action under §1.113, a notice of allowance under §1.311, or any action that otherwise closes the prosecution in the application. Therefore, this Supplemental Information Disclosure Statement is also submitted with a Statement pursuant to 37 C.F.R. §1.97(e) or the fee set forth in 37 C.F.R. §1.17(p).

The Examiner is requested to acknowledge consideration of the information provided in this paper in accordance with prescribed procedures.

Respectfully submitted,
BACON & THOMAS, PLLC

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/774,393
Filing Date	February 10, 2004
First Named Inventor	CRIPPS et al.
Art Unit	1616
Examiner Name	M. Haghighatian
Attorney Docket Number	CRIP3001C3/REF

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. 1	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Codez				
		US-	5,658,549 A	8/5/1997	Akerhurst, et al.	
		US-	5,919,827 A	7/6/1999	Barberich, et al.	
		US-	6,004,537 A	12/21/1999	Cavanaugh, et al.	
		US-	5,795,594	8/1998	York, et al.	
		US-	5,270,305	12/1993	Palmer, et al.	
		US-	4,243,548	11/1978	Heeb, et al.	
		US-	5,776,432	7/7/1998	Schultz, et al.	
		US-	6,346,232 B1	2/12/2002	Schultz, et al.	
		US-	10/130,847	5/21/2002	Cripps, et al.	
		US-	6,231,519	5/2001	Blunts, et al.	
		US-	6,610,273	8/2003	Wu et al.	
		US-	3,219,533	11/23/1965	Mullins	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. 1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆
		Country Codes -Number + -Kind Codes (if known)				
		WO 01/37805 A1	5/31/2001	Glaxo Group Ltd.	Whole document	
		EP 0 416 951 A	3/13/1991	Glaxo Group Ltd.	Whole document	
		WO 98 56349 A	12/17/1998	Chiesi Farmaceutici SPA	Whole document	
		WO 98 24420 A	6/11/1998	Bioglan Ireland (R&D) Ltd.	Whole document	
		WO 94 13262	6/23/1994	P. D. Jager, et al.	Whole document	
		WO 00 30607	6/2/2000	Chiesi Farmaceutici SPA	Whole document	
		WO 99 65464 A	12/23/1999	Boehringer Ingel Pharm., Inc.	Whole document	
		CA 2,094,266	4/22/1998	MN. Mining & Manufgt Co.	Whole document	
		WO 92/06675	4/30/1992	MN. Mining & Manufgt Co.	Whole document	
		EP 0 553 298 B1	11/17/1994	MN. Mining & Manufgt Co.	Whole document	
		AU-B-90873/91	5/20/1992	MN. Mining & Manufgt Co.	Whole document	
		GB 2 235 627 A	3/13/1991	Glaxo Group Ltd.	Whole document	

Examiner
SignatureDate
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹

Applicant's unique citation designation number (optional). ²

See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶

Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/08b (09-06)

Substitute for form 144B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known			
		Application Number	10/774,393		
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		First Named Inventor	CRIPPS, et al.		
		Art Unit	1616		
		Examiner Name	M Haghigatian		
Sheet	1	of	1	Attorney Docket Number	CRIP3001C3/REF
NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ₂
		Richard N. Dalby, et al., "Comparison of Output Particle Size Distributions from Pressurized Aerosols Formulated as Solutions or Suspensions", Pharmaceutical Research, 1988, vol. 5, no. 1, pp. 36-39			
		S.S. Davis, "Physico-Chemical Studies on Aerosol Solutions for Drug Delivery I. Water-Propylene Glycol Systems", International Journal of Pharmaceutics, 1978, vol. 1, pp. 71-83			
		Peter Zanan, et al., "The optimal particle size for β -adrenergic aerosols in mild asthmatics", International Journal of Pharmaceutics, 1994, vol. 107, pp. 211-217			
		Peter Zanan, et al., "The optimal particle size for parasympatholytic aerosols in mild asthmatics", International Journal of Pharmaceutics, 1995, vol. 114, pp. 111-115			
		Peter Zanan, et al., "Optimal particle size for β_2 agonist and anticholinergic aerosols in patients with severe airflow obstruction", Thorax, 1996, vol. 51, pp. 977-980			

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.